

District Judge Robert S. Lasnik  
Magistrate Judge Mary Alice Theiler

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARIO MARADIAGA BENAVIDEZ, aka  
MARIO MARTINEZ-MORENO,  
(Agency # 73-242-034),

Petitioner,

v.

ALBERTO GONZALES, Attorney General  
of the United States; MICHAEL  
CHERTOFF, Secretary of U.S. Department  
of Homeland Security; EMILIO T.  
GONZALEZ, Director, U.S. Citizenship and  
Immigration Services; and A. NEIL  
CLARK, Field Office Director of  
Immigration and Customs Enforcement,

Respondents.

No. C07-0463-RSL-MAT

**JOINT STIPULATION STAYING  
PROCEEDINGS**

On March 28, 2007, Petitioner filed a habeas petition seeking, among other things, the issuance of a Form I-290C, Notice of Certification, as well as release from custody.

On March 29, the Court ordered the Defendants to show cause why the Petition should not be granted. *See* Dkt. No. 3. The Defendants subsequently received an extension of time until May 14, 2007 to respond to the order to show cause. *See* Dkt. No. 15.

On April 30, 2007, the United States Citizenship and Immigration Services issued a Form I-290C. The parties now respectfully request that the proceedings be stayed until

May 21, 2007 to allow for a custody determination to be made in light of the issuance of the Form I-290C. Therefore, the parties, by and through their respective attorneys, hereby STIPULATE, AGREE, and JOINTLY REQUEST that the proceedings be temporarily stayed, and that the Defendants have until May 21, 2007 to show cause and to respond to the Petition.

Dated this 11th day of May, 2007.

JEFFREY C. SULLIVAN  
United States Attorney

GIBBS HOUSTON PAUW

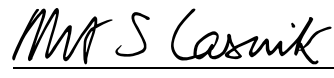
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Attorneys for Plaintiff

**ORDER**

The parties having so stipulated, the above is **SO ORDERED**. The Clerk is directed to send copies of this Order to all counsel of record.

DATED this 14th day of May, 2007.

  
Robert S. Lasnik  
United States District Judge

Recommended for Entry  
this 14th day of May, 2007:

s/ Mary Alice Theiler  
United States Magistrate Judge

1 Presented by:

2  
3 /s/ Thomas M. Woods  
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